

Inventors' Network Volume 11

Of the Capital Area [INCA] Issue 4

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Planned Speakers:

April 21st Karl F. Jorda is the, David Rines Professor of Intellectual Property Law and Industrial Innovation, Franklin Pierce Law Center and Director of the Kenneth J. Germeshausen Center for the Law of Innovation and Entrepreneurship. He will be speaking on: **Technology Licensing Do's and Don'ts, Licensing New Inventions: The Black Box Dilemma and International Licensing: Cultural Considerations.**

May 19th. Tom Brooke is a local patent attorney specializing in Trademark issues. He will bring us up to date on aspects of intellectual property protection.

June 16th. Dr. Barbara Croft is known to many of us from her abundant hostmanship with Jerry Porter at their home in Kensington. Dr. Croft is directly involved in oversight of grants issued by National Institute of Health. She helps make the rules under which new techniques, processes and properties are funded. Successful licensing and sales replenish the tax base from which NIH expands their Grant-investment in technical growth. Federal oversight patterns offer valuable, useful direction for new and seasoned inventors.

July 21st. Herbert Wamsley. is another charter member of our INCA organization, even though it was called Capital Inventors Society when he was active. Mr Wamsley is executive director of the Intellectual Property Owners association which represents many firms and inventors. Frampton Ellis is on IPO board of directors.

May 15 to an INCA type event within a multiple engineering society sponsored Joint Meeting:

Stimulating Technology Development Through SBIR/STTR

to be held at the Northern Virginia Graduate Center in Falls Church.

See more about this event for inventors on page 3.

On March our Speaker-Member was Dr. John H. Dodds

Dr Dodds told us about his scientific and professional background and how he came to earn his law degree and

MEETING: 3rd Monday,

21 April 03

5:30 Network w Pizza

6:00 Topic Table Discussions

6:30 30-second Introductions

6:50 Speaker: **Karl F. Jorda**

7:30 Member & Guest Issues

specialty in Intellectual Property while serving as associate dean for international Agriculture at Michigan State University

He clarified differences Patent Cooperation Treaty (PCT) and the US patent system.

He outlined analysis for "freedom to operate" - without illegally using someone else's protected technology.

He related observations about improved stability of Intellectual Property (IP) within Asia and India; and,

He colorfully responded to questions from members and guests.

John and his family heard all three rounds of robust applause.

The PCT application can provide an inventor with a filing date that applies to the 117 WIPO-credentialed countries. The PCT applicant has regular tasks that exceed US-only patents. The tasks are shown in Dr Dodd's timeline charts A and B. The major expense in international patent coverage occurs in prosecution of the National filings. The PCT process defers the major financial burden for up to 30 months.

Within this initial low-cost 30-month entry period, an invention team has a filing date for all WIPO countries. The inventor's team needs to promptly find and commit licensees who ideally also are co-investors.

Note: the PCT timing and process offers high leverage even for project teams who start with very modest initial cash investment. Their challenge is their disciplined investment in intellectual property, business plan, demonstration assets and corporate contracts appropriate for drawing on strengths of the "right people". .

OTHER TIMING QUESTIONS

United States is the only PCT member that permits novelty disclosure up to 1 year before filing. However, any public disclosure before filing in other nations is fatal. A PCT application can be in english, and does not initially require drawings or abstract. Amendments made during the international phase have effect in all designated countries. The application will be published 18 months after filing.

Dr. Dodds illustrated the impact of globalization on current development for major products. Products as common as Pringles potato chips utilize specialty strengths of multiple US, Europe and Asia countries, plus international transportation. He related his visit to a 600 acre R&D facility in India. It is competing for development of global products by global firms.

While part of a WIPO group, he hear the manager of a Chinese development laboratory tell its Intellectual Property persons that China would be living to the WIPO agreements. While some copying had occurred in the past, it was no longer necessary to copy because their lab persons were capable of working within the international competition for generating new valuable properties.

GAMES

When asked about copyrights trademarks and other "branding" techniques, he cited the combination of IP employed in the Parker "Monopoly" game. Its instruction shows three copyright dates; its \$35/yr trademark is kept up to date and it takes only a small image change to warrant a new design patent. The size and economic power of Parker Bros will discourage most business firms from trying to capture use of their IP.

TOOLS

A hammer and a power saw were on display by inventor Roland Staana. Dr. Dodds spoke of some of the analysis for freedom-to-operate if an inventor finds that his patented product includes someone else's technology. The issue of search is reopened when possible infringement claims are to be actively avoided. As manufacturing is considered, the process to be used in manufacturing needs to be searched to be assured that it requires a license. Hopefully, any challenging process patent is expired, or licensing fees are affordable.

Stimulating Technology Development Through SBIR/STTR

INCA is identified as a cosponsor with the expectation that the INCA community will be notified by email.

May 02 the U.S. Supreme Court overruled *Festo* — to confirm the appropriateness of using the doctrine of equivalents in interpreting conflicting claims between two intellectual properties.

Patent claims are often the result of amendments made during prosecution, where original claims are considered by the examiner to be too broad, and a more limited claim is negotiated with the inventor's attorney prior to issuance.

In *Festo*, the Supreme Court said — to invoke the doctrine of equivalents after a claim has been amended, the patent owner must show that the equivalent was "**unforeseeable** at the time of the amendment". This burden makes the inventor's experience critical. If the inventor can foresee a possibility of a competitor using physics principles other than those cited in the amended claim, he needs to make these a matter of record with his patent attorney before the patent is issued.

When a competitor brought forward a claim that had been foreseen and timely reported by the inventor, his attorney would be armed with a modern position to utilize Doctrine of Equivalents.

Subj:[Inventors Council] Invention Submission Corp. aka ISC

Using an invention marketing firm is mentioned by the Ohio Inventors Council from time to time. The following paragraph was published in Business 2.0 Magazine in the April 2003 issue.

[That issue of that magazine also has a two-page article on how to successfully invent a new product or process.]

Infomercials, focused for inventors, include a 1956 project in which Ron Popeil hawked the Chop-O-Matic and made good sales. "Invention promoters" have also discovered infomercials. They offer to "market" inventor's creations. They often extract several thousand dollars before the inventor realizes that they will not execute as their telephone contact has implied or promised.

Now these firms are required to disclose their success to potential customers. From 2000 to 2002, only one in 400 inventors who used Invention Submission Corp., one of the largest firms, made any money.

INVENTION TRADER. Gene Scott is a Patent Agent in Newport Beach Ca. 714 668 1900
He has sent your editor an announcement of his website: www.InventionTrader.com
As a broker for intellectual property since 1996, he offers for \$20/yr a searchable database of companies, patent pending inventions and venture capital sources.

Scott also appears to be soliciting descriptions of inventions with just their anticipated benefits but without technical disclosure.

At first this sounds like the answer to a person with a lot of inventive ideas.

After hearing INCA discussions on August 17, this invitation sounds to this writer like a severe no-win trap to the unwary inventor.

Inventors who would like to benefit from their ideas still need to do the diligence that is appropriate for really good ideas.

Have any of our members or friends dealt with Mr Scott or his brokerage in intellectual Property?

The Harvard Business Review for March 03 illustrates **creativity tools** that have a great track record, but are not commonly discussed.

FINDING YOUR INNOVATION SWEET SPOT p 120

A consultive firm, Systematic Inventive Thinking (SIT), starts with an existing product and its characteristics to reinvent existing products. Their article invites the reader to embrace their “systematic process” for getting ingenious and viable results.

The Israel firm has drawn strongly on Systematic inventive thinking research of Genrich Altshuller. Artshuller framed his problems in contradictions. He sought solutions through common templates and categories. This body of knowledge is called TRIZ (Theory of Inventive Problem Solving).

Their introduction to inventiveness seems to focus on shaking up preconceptions and channels of conventional thinking. Their discipline about identifying patterns are intended to identify assumptions and often reverse results of unfounded habits of thought.

Many of the tools brought forward by these authors are well established in prior literature of work simplification and responsible cost reduction training. Now those tools are being offered to help firms retain their major market strength and add ingenious variety within that structure.

Goldenberg, Jacob & Mazursky, David CREATIVITY IN PRODUCT INNOVATION Cambridge Univ Press 2002.

The April 03 issue of Harvard Business Review draws attention to R&D in Services; particularly Bank of America.

A major thrust of **Innovation in the service business is to their process for designing experiments that are carried out in the ordinary course of daily business, and whose purpose is to maximize learning..**

Your editor accumulated both March and April issue of Harvard Business Review (HBR) in his stack of quotables because HBR can be found in public libraries and book stores; and it always has very useful information for innovative inventors.

[Inventors Council] Thanks to geopierce@earthlink.net Patent Awarded to AXCESS

The invention benefits are that wireless readers can be separate from activating transmitters yet receive signals from battery-powered cards and tags usually located at secure doorways and at hallway control points. The invention takes advantage of the extra long-range transmission of the battery-powered cards and tags, making the overall system more pervasive, less costly, and more effective by speeding-up authorized building access, by automatically identifying intruders, and by monitoring and protecting critical enterprise assets such as computers.

The patent name is "Distributed Tag Reader System and Method", and is the third for AXCESS' radio frequency identification (RFID) technology. It is sold under the ActiveTag(TM) label. It is characterized as being an "active" RFID system because of the unique capability to use of embedded batteries in the personnel access cards, and vehicle and property tags. More information is available on the company's web site at www.axsi.com.

FULL STORY Copy and paste the following into your Web browser to access the sent link:
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Inventors Council Services/Products for inventors - Another free Advertisement

NOTE: Inventors Council (and INCA) wish to make inventors aware of things that could advance their projects.

However, the people and companies referenced herein are not necessarily tested or approved.

- so let the buyer beware (as is always the case).

From Keith.Winnick@c-e-associates.com Inexpensive Molds and Low Cost Production Runs

C & E Associates, Pacific Rim Resources, is an import / export company with connections in the Chinese manufacturing base around Shanghai. Our manufacturers are experienced with metals, plastics, and small electronics; plus. Die Cast, Sand Cast, Injection Molding, Machine Shop et al.

C&E offer access to inexpensive molds and / or small production runs.

Keith.Winnick, Director of US Operations is at 415+505+7425

At long last, an **inventors networking group has been formed in the state of Hawaii!!**

The new group is being sponsored and funded by the Waikiki 2000 Lions Club and will welcome visiting members from all nations!

Check out the action at: Hawaii-International Inventors Association, Inc.

Richard Sakoda 945 Makaiwa Street Honolulu, HI 96816 (808) 523-5555 sakodaesq@aol.com

UIA Email News Bulletin relay

The April issue of the UIA Newsletter is online at <http://www.uiausa.com/uianews8I4.htm>

Research request

A PhD. candidate is **researching success ratios of inventors** commercializing products, ideas and technologies. Hopefully the questionnaires may help evaluate inventor problems of introducing inventions to their market, and through stages of new product development.

The survey should take approximately 4 minutes. To take the survey, copy the following URL into your browser's address bar: <http://poll.marketreaderpro.com/?p=83&r=91&L=143>

Pamela Riddle Bird 352-373-1007 www.inventone.com

Rochester, NY: find out what the experts say. See <http://www.uiausa.com/UIAIAP.htm> for complete details.

"Ask the Experts" is open to all members, group, individual, professional, etc. To take advantage of this benefit go to <http://www.uiausa.com/AskTheExperts.htm>

April 12, 2003

*** 25th Annual Rocky Mountain Inventors Congress Golden, Colorado www.RMInventor.org

May 21, 2003 *** The Pulse of Innovation Trade Show & Conference Suffolk County Community College

Hauppauge, NY lcarter@lift.org / Phone: (631)969-3700

June 13-15, 2003 *** Minnesota Inventors Congress Redwood Falls, MN

Phone: (800) 468-3681 / Web: www.invent1.com

License Executive Society (LES) Meeting

The LES Greater Washington, DC Chapter will have a luncheon Wed Apr 30 12:00 p.m. - 1:15 p.m. Visit the Washington, DC Chapter page of the LES (USA and Canada) Website for more information and to download the registration form for this upcoming meeting.

Commercializing Your Intellectual Assets

Learn about: How decisions are made to license out and license in.
 Ford Motor Company Strategic Commercialization Initiatives.
 Best practices related to portfolio mining.

Speaker:

Mr Henry E. Fradkin worked for Ford Motor Company as Director, Technology Commercialization. He founded Value Extraction LLC, a consulting company that consults on commercializing IP and helps companies improve their effectiveness in monetizing their intellectual assets, and enter licensing deals.

MIT EnterpriseLab Featuring:

VitalSpring: **Tuesday, April 22, 2003**

The MIT Enterprise Forum of Washington & Baltimore invites INCA members to an evening of great networking and serious business: An EnterpriseLab Featuring: VitalSpring (www.vitalspring.com)

SITUATION:

It's the fall of 2001, your company, VitalSpring, just finished its enterprise software application targeted towards the managed care (HMO) marketplace. Your software can help save millions in health care costs by applying data mining technology to analyze health care records.

CHALLENGES

But sales growth has been slow. Should you change course, change the product, delay sales and potential revenue to target the market differently?

Should you target another part of the health care supply chain? Which market segments might benefit most from VitalSpring and be willing to pay for that value?

How will your current investors feel about providing additional funds necessary to make changes?

INVITATION

Come and join Enterprise Forum to hear the VitalSpring story.
You'll learn about the challenges VitalSpring faced, and
you will hear from a panel of experts, as they analyze and recommend courses of action.
Then, the Forum Audience will be asked, WHAT WOULD YOU HAVE DONE?

Join VitalSpring, www.vitalspring.com, and Al Mink, Moderator, for the EnterpriseLab on April 22.

Tuesday evening, April 22, 2003 6:30 - 7:00 PM Networking and Finger Food 7:00 - 9:00 PM Program
NRECA Conference Center 4301 Wilson Boulevard Ballston, VA Free Parking at NRECA.

To RSVP, visit www.mitef.org/UpcomingEvents.htm

Admission is free to members, \$10 for nonmembers. Everyone is welcome.

Upcoming Events: <http://www.mitef.org/UpcomingEvents.htm> <http://web.mit.edu/entforum/SBSnext.html>

May 1, 2003, Springboard Growth Capital Interactive Workshop: DC Bio
Interactive workshop on the various forms of capital used to start or expand
a life sciences Business. More Information:
<http://www.springboardenterprises.org/progeven/pe2.asp?pid=332>

May 25, 2003: The StartUpLab in DC/NOVA 6:30 to 9:00 PM, NRECA Conference Center

June 5, 2003 WHAT PRIVATE EQUITY INVESTORS ARE LOOKING FOR 7:00 pm
Featuring: Paul Ferri, founding partner of Matrix Partners. He is joined by a panel composed of Noubar Afeyan, Senior Managing Director and CEO of Flagship Ventures; Alec Dingee, co-founder and director of the MIT Venture Mentoring Service and chairman and founder of Kortec, Inc.; Helen Greiner, co-founder and president of iRobot Corporation; and Allan Wallack, former CEO and president of Spring Tide Networks

June 17, 2003, The EnterpriseLab 6:30 to 9:00 PM, NRECA Conference Center

June 19 StartupLab in Baltimore, MD. The companies that are selected to present at the StartUpLab receive exposure to potential customers, investors and partners, as well as feedback on how to improve your company's business and its chances for success.

There is no cost to apply or present. If you are interested and/or would like to read more, please go to our website at <http://www.mitef.org/startuplab/StartuplabHome.htm>.

Chuck Mullen came to Washington a week ago to build support for his learning-to-read invention. His software disks provides pre-school and elementary school teachers with direct assistance. Without the teacher's intervention, the child and a temporarily-dedicated ordinary computer become a child-paced instruction team, having sensitive feedback to encourage accurate response and to gently reteach reading. Chuck illustrated his system to representatives from Laura Bush's office and to the Department of Education. Chuck's phone is 713 532 0142.

Chuck, as a member of the Houston Inventors group, visited Washington every month during the formation of INCA. He now wants to make an important contribution to education so that fewer US citizens find themselves in prison.

Otto Glasser, also from Houston, is setting up a pilot Inventor's Display day at Rice University. He will be inviting potential licensees. We look forward to his experience as a model for future local events.